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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/993,698	11/27/2001	Keiichi Sakuno	0020-4933P-SP	8373

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EXAMINER

NGUYEN, KHANH V

ART UNIT	PAPER NUMBER
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2817

DATE MAILED: 01/02/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Applicant(s)

09/993,698

Applicant(s)

SAKUNO, KEIICHI

Examiner

Khanh V. Nguyen

Art Unit

2817

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 September 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 1-16 are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 November 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims.

Therefore, *"a power amplifier and a negative feedback circuit connected between a **grounding terminal** of the power amplifier and **ground**"* in claim 10 must be shown or the feature(s) canceled from the claim(s).

Therefore, *"first and second field effect transistors"* in claim 8 must be shown or the feature(s) canceled from the claim(s).

No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Objections

Claim 6 is objected to because of the following informalities: claim 6 discloses the subject matter as disclosed in Figure 7. However, the both bipolar transistors showed having base-collector junction and not base-emitter junction since both transistors (Tr61, Tr62) having base and collector connected together. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 10 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

It is not clear which “power amplifier and a negative feedback circuit connected between a grounding terminal of the power amplifier and ground” since none of the disclosed figures showing the circuit having the connection as claimed.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in-

- (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or
- (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Longman, Jr. (3,895,305).

Regarding claims 1, 2, Longman (Fig. 6) discloses an amplifier circuit comprising: an amplifier (31) and a feedback circuit comprises resistors (33, 35, 38), diode (34) and capacitor (37) connected between output (42) and input (40), wherein the impedance of the feedback will inherently depend on the voltage occurring across the negative feedback circuit since all essential elements of claimed invention are disclosed. Thus, when the impedance of the negative feedback circuit increases the signal voltage occurring across the negative feedback circuit increases.

Regarding claim 3, wherein diode (34) and capacitor (37) are connected in series.

Regarding claims 4, wherein diode (34), capacitor (37) and resistor (38) are connected in series.

Claims 1, 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Mizuno (JP 2000304631 A).

Regarding claims 1, 5, Mizuno (Fig. 1) discloses an amplifier circuit comprising: an amplifier (20) and a feedback circuit comprises a pair of diodes (26, 28) connected in

series having forward direction opposed to each other, wherein the impedance of the feedback will inherently depend on the voltage occurring across the negative feedback circuit.

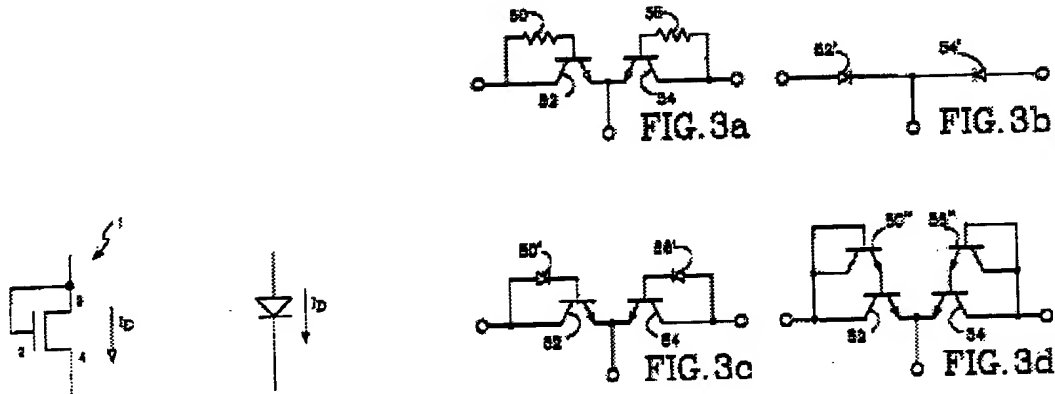
Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mizuno.

Regarding claims 6-8, Mizuno discloses the claimed invention except utilizing the diode-connected transistors (FET or bipolar). However, it is known in the art that diode and diode-connected transistor can be used interchangeably and replace one for another would be considered as a matter of design engineering. Thus, it would have been obvious to substitute diode connected transistors for the diodes of Mizuno. (See Patents 6,069,503 and 4,779,057 respectively)



Regarding claim 9, Mizuno discloses the claimed invention except the second diode has a junction area larger than the first diode. It would have been an obvious matter of design choice to substitute diode (28) with a diode having a larger junction area than the first diode (26), since such modification would have involved a mere change in size of the a component. A change in size is generally recognized as being within the level of ordinary skill in the art.

Conclusion

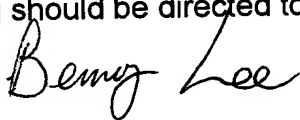
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The additional references (Bayruns et al. (5,646,573); Nishikawa et al. (5,661,437); Nemoto (6,246,284)) show further analogous prior art circuitry.

This art is deemed relevant and should be carefully reviews before any amendment is filed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh V. Nguyen whose telephone number is (703) 306-9058. The examiner can normally be reached from 8:00 AM-4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pascal can be reached on (703) 308-4909. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9318 for regular communications and (703) 872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Customer Service at (703) 872-9317.



BENNY T. LEE
PRIMARY EXAMINER
ART UNIT 2817

NKV

12/26/02